

Dominican Republic

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2015, the Dominican Republic made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, the Dominican Republic is receiving this assessment because it continued a practice that delayed advancement in eliminating the worst forms of child labor. Some children, particularly those of Haitian descent, were prohibited by school officials from attending or completing school if they could not present birth certificates or other identifying documents, making them more vulnerable to the worst forms of child labor. This practice continued despite Dominican law and policies that prohibit the exclusion of children from the educational system based on a lack of identity documents. Otherwise, the

Government made efforts by launching the social program Progressing Together and expanding the Extended School Day Program. Children in the Dominican Republic are engaged in the worst forms of child labor, including in agriculture and commercial sexual exploitation sometimes as a result of human trafficking. The National Steering Committee to Eliminate Child Labor and its Local Committees appear to lack sufficient resources to effectively coordinate efforts to address child labor. In addition, social programs for victims of harmful agricultural work and commercial sexual exploitation do not appear to address the scope of these problems.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Dominican Republic are engaged in the worst forms of child labor, including in agriculture and commercial sexual exploitation sometimes as a result of human trafficking.(1-3) In 2015, the Government published principal results from the 2014 National Multipurpose Household Survey (ENHOGAR), which was partially funded by UNICEF and used to generate information on child labor.(4) Table 1 provides key indicators on children's work and education in the Dominican Republic.

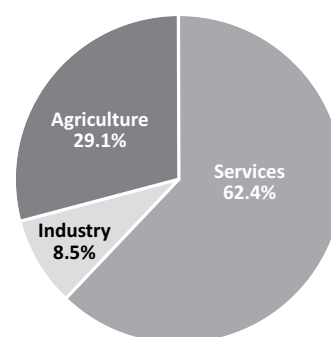
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10-14 yrs.	5.3 (54,850)
Attending School (%)	5-14 yrs.	96.1
Combining Work and School (%)	10-14 yrs.	4.8
Primary Completion Rate (%)		90.9

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Nacional de Hogares de Propósitos Múltiples (ENHOGAR) Survey, 2011.(6)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting sugarcane,† collecting cut cane,† planting sugarcane,† and clearing land for sugarcane production (7-14)
	Producing coffee, rice, tomatoes, beans,* corn,* garlic,* onions,* and potatoes* (15-22)
Industry	Producing baked goods (23)
	Mining† for larimar* (a blue stone often used for jewelry) (23, 24)
	Construction,*† activities unknown (23, 25)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Street work, including vending,† shining shoes, washing car windows, and transporting packages in markets* (2, 3, 9, 17, 20, 26)
	Working in restaurants, bars,† cantinas,† and coffee shops (23)
	Transporting and selling alcohol,† including Haitian rum, at border areas* (27)
	Working in beauty salons* (2)
	Working in woodworking shops,* auto repair shops,* and welding shops* (20-22)
	Scavenging in landfills (20, 28, 29)
	Domestic work in third-party homes (9, 17, 23, 30)
Categorical Worst Forms of Child Labor‡	Forced domestic work sometimes as a result of human trafficking (1, 17, 31)
	Forced labor in agriculture and begging each sometimes as a result of human trafficking (17, 31-35)
	Forced labor in waste picking,* shining shoes,* and washing car windows* (20)
	Commercial sexual exploitation sometimes as a result of human trafficking (1, 13, 20, 36, 37)
	Use in illicit activities, including drug trafficking sometimes as a result of human trafficking (1, 20, 27, 33, 38)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children in the Dominican Republic are exploited in commercial sexual exploitation, particularly in touristic locations and major urban areas.(1, 31, 35, 39) The porous border between Haiti and the Dominican Republic has allowed some children to be trafficked into the Dominican Republic, where they have been engaged in commercial sexual exploitation or forced to work in agriculture, domestic service, or begging.(31, 32, 34, 39-42) Some reports indicate that children have also been forced to engage in waste picking, shining shoes, and washing car windows, for which they must meet earnings quotas, and that some children involved in these activities have turned to commercial sexual exploitation to satisfy unmet quotas.(20, 43) Some children, including Haitian children and Dominican-born children of Haitian descent, work in sugarcane production, often alongside their parents, and live in communities that often lack adequate housing and basic services.(3, 7-14, 17, 44)

Children of parents with irregular migration status are particularly vulnerable to labor exploitation, often due to a lack of identifying documentation.(17, 45) The Dominican Constitution establishes that children born in the Dominican Republic to parents that are “in transit” are not Dominican citizens.(46) In 2013, the Dominican Constitutional Tribunal interpreted this “in transit” provision to mean that only children born in the Dominican Republic to Dominican parents are Dominican citizens, and upheld the definition of “in transit” persons to include, among others, foreign labor migrants. The Tribunal also ordered the Central Electoral Board to audit the civil registry from 1929 to 2007 to make it consistent with this interpretation, which led to the loss or suspension of Dominican citizenship for the children of “in transit” parents listed in the civil registry, most of whom were of Haitian descent.(3, 44, 47-49)

In May 2014, the Government passed a naturalization law (Law 169-14), which mandated that citizenship should be restored for the 54,307 individuals identified in the audit who were born to “in transit” parents between 1929 and 2007; however, by September 2015, the Government had reissued birth certificates to only 25 percent of these individuals.(3) The law also created a path to citizenship for individuals who were born in the Dominican Republic to “in transit” parents prior to 2007 and who were never listed in the civil registry.(3, 50-53) Under this law, an estimated 55,000 to 80,000 persons, who are predominantly of Haitian descent, could have applied for citizenship through naturalization; however, only 8,755 applied before the February 1, 2015 application deadline.(3, 51, 53, 54) In August 2014, the Inter-American Court of Human Rights (IACHR) ruled that Articles 6, 8, and 11 of Law 169-14, which regulate legal personhood and nationality in the Dominican Republic, were incompatible with the Government’s duties under the American Convention on Human Rights. These duties include providing freedom against discrimination under the law based on race, color, or national origin, as well as the right to nationality in the state of one’s birth when the right to another nationality cannot be fulfilled.(39, 55-58) In October 2014, the Government

stated it rejected the IACHR’s ruling; however, the Dominican Republic remains a party to the American Convention of Human Rights.(59)

In addition to Law 169-14, in November 2014, the Government enacted the National Plan to Regularize Foreigners, which created a path to temporary legal residency for individuals born in the Dominican Republic to “in transit” parents after 2007, as well as for persons who entered the country irregularly at any time. Individuals born prior to 2007 who could not meet the requirements for naturalization under Law 169-14 were eligible to apply for temporary legal residency under this Plan.(3, 51, 54) On August 1, 2015, the eligibility of these individuals to apply for regularization under the Plan expired. Individuals who did not apply under the Plan can still apply for regularization pursuant to the more extensive requirements of the General Law on Migration or can be subject to deportation under the same law.(3, 48, 53, 54, 60) Although approximately 240,000 individuals were granted temporary legal residency status under the Plan, IOM reported that approximately 280,000 individuals with irregular residency status, the majority of whom are Dominican-born persons of Haitian descent, did not apply.(3, 61) Misunderstandings related to the application process for obtaining identity documents, as well as costs associated with this process, for example to travel to government offices, hindered the acquisition of identity documents under the Plan.(62) Individuals, including children, with irregular residency status who did not apply for regularization under the Plan are at an increased risk of labor exploitation.(1)

On August 14, 2015, the Government began involuntary repatriations of individuals with irregular residency status to Haiti.(3, 61, 63) By January 2016, the Government reported that it had deported 13,756 individuals.(64) IOM reported that from June 2015 to January 2016, 37,836 individuals also migrated spontaneously to Haiti, including 970 unaccompanied minors.(64) Unaccompanied migrant children are vulnerable to human trafficking and commercial sexual exploitation. Children who remain in the Dominican Republic after their parents have been deported to Haiti, or who left the Dominican Republic for Haiti, are also vulnerable to the worst forms of child labor. In addition, children of parents who have been deported to Haiti, or who voluntarily left the Dominican Republic for Haiti, may reside in makeshift camps in Haiti along the Dominican border that lack basic social services and schools, increasing the likelihood that these children engage in child labor, including its worst forms.(63, 65)

National law guarantees free public education and requires that all children attend school until age 18.(3, 46, 66) In addition, national law prohibits the exclusion of children from the educational system based on a lack of identity documents.(67, 68) However, in practice, some primary and secondary schools in the public system deny access to children who cannot present birth certificates or identity documents.(3, 15, 44, 69, 70) This practice puts these children in precarious situations where they are more likely to work. In addition, some secondary schools may permit access without birth certificates, but require such documentation for the national exams required to obtain high school diplomas.(70-72) Without the opportunity to receive high school diplomas, pursue higher education, and with limited access to formal sector work as adults, children without identity documents have less incentive to remain in school. This may increase the likelihood that these children engage in child labor, including its worst forms.(17, 30, 31, 35, 70, 73-77) Research could not determine whether a lack of identity documents hinders access to vocational training opportunities. In 2013, the Government reported that 16 percent of children younger than age 4, and 10 percent of children ages 4 to 9, lacked birth documents.(3)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Dominican Republic has ratified all key international conventions concerning child labor (Table 3).



Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
	✓
ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓

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Table 3. Ratification of International Conventions on Child Labor (cont)

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In May 2015, the Government ratified ILO Convention 189 on Decent Work for Domestic Workers. ILO Convention 189 requires signatories to specify a minimum age of employment for domestic workers, as well as ensure that work performed by domestic workers who are under the age of 18 and above the minimum age for work does not deprive them of compulsory education, or interfere with opportunities to participate in further education or vocational training.(78)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 245 of the Labor Code; Article 40 of the Code for the Protection of Children and Adolescents (67, 79)
Minimum Age for Hazardous Work	Yes	18	Sections 1 and 2 of the Resolution on Hazardous Work for Persons Under Age 18; Article 251 of the Labor Code (79, 80)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 1–3 of the Resolution on Hazardous Work for Persons Under Age 18 (80)
Prohibition of Forced Labor	Yes		Articles 1, 3, and 7 of the Law Against Migrant Smuggling and Trafficking in Persons; Articles 25 and 409 of the Code for the Protection of Children and Adolescents; Articles 40 and 41 of the Constitution (46, 67, 81)
Prohibition of Child Trafficking	Yes		Articles 1, 3, and 7 of the Law Against Migrant Smuggling and Trafficking in Persons; Articles 25 and 409 of the Code for the Protection of Children and Adolescents; Article 41 of the Constitution (46, 67, 81)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 25 and 408–411 of the Code for the Protection of Children and Adolescents; Article 24 of the Law on Technological Crime (67, 82)
Prohibition of Using Children in Illicit Activities	Yes		Article 85 of the Law on Drugs and Controlled Substances (83)
Minimum Age for Compulsory Military Recruitment	N/A*		Articles 96, 97, 231 and 232 of the Organic Armed Forces Law (84)
Minimum Age for Voluntary Military Service	Yes	18†	Articles 26 and 96–97 of the Organic Armed Forces Law (84)
Compulsory Education Age	Yes	18‡	Article 63 of the Constitution; Articles 33, 35, 37, and 40 of the Organic Law of Education; Articles 45 and 46 of the Code for the Protection of Children and Adolescents (46, 66, 67)
Free Public Education	Yes	18‡	Article 63 of the Constitution; Articles 33, 35, 37, and 40 of the Organic Law of Education; Ministry of Education Circular No. 18 of 2011; Articles 45 and 46 of the Code for the Protection of Children and Adolescents (46, 66–68)

* Articles 96, 231 and 232 of the Organic Armed Forces Law (No. 139-13) state that there is no conscription in peacetime and that compulsory military recruitment may be authorized in situations of national defense or emergency. However, it is unclear whether Dominican law establishes a minimum age for compulsory military recruitment in these situations.(84)

† The minimum age for voluntary military service is 18. However, children ages 16 to 18 may enlist for training with parental consent.(84)

‡ Age calculated based on available information.(46, 66)

In December 2014, the Government passed a new Penal Code that, among other provisions, increased penalties for the commercial sexual exploitation of children to 10 to 20 years of imprisonment, and in aggravated circumstances to 20 to 30 years of imprisonment.(85) However, in December 2015, the Dominican Constitutional Tribunal ruled that Law 550-14, which instituted the new Penal Code, was unconstitutional, leaving the 1884 Penal Code in force.(86, 87) Under Article 410 of the Code for the Protection of Children and Adolescents, penalties for the commercial sexual exploitation of children are 3 to 10 years of imprisonment.(67) UNICEF has stated that penalties for the commercial sexual exploitation of children in the Dominican Republic should be strengthened.(2)

Article 2 of the Resolution on Hazardous Work for Persons Under Age 18 specifies activities that the Government deems hazardous and prohibits them for children under age 18. Article 3 of the same Resolution allows children ages 16 to 18 to engage in some hazardous activities, such as the use of industrial machines, as part of vocational training programs and only when properly trained, supervised, and protected.(80) Despite these protections, Article 251 of the Labor Code sets the general minimum age for hazardous work at 16.(79) The ILO has called upon the Government to amend the Labor Code to ensure that children ages 16 to 18 who are permitted to engage in hazardous activities are fully protected.(88)

The Dominican Constitution states that initial, basic, and secondary education are free and compulsory but does not specify ages for this schooling.(46) The Organic Law of Education states that initial education serves children up to age 6, where basic education typically begins, and that basic education lasts for 8 years. The Organic Law of Education states that secondary education lasts for an additional 4 years, making the calculated age for compulsory education 18.(66)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MT)	Lead government efforts to eliminate child labor; conduct labor inspections to identify and document offenses; and direct the Child Labor Unit (UTI) to investigate and reduce child labor, in part through the National Information System for Monitoring Child Labor (INFOSITI).(9, 20, 76, 89, 90) Implement the MT's Institutional Strategic Plan (2013–2016), which outlines objectives to improve the number and quality of labor inspections overall, offer better service to workers, coordinate Labor Code reform, integrate the UTI into existing enforcement efforts, and provide improved vocational training for vulnerable populations, including children.(9)
National Council for Children and Adolescents (CONANI)	Promote policies to eradicate all forms of violence against children, including child labor, as well as improve the employability of young people.(76, 91) Coordinate with the MT to protect children against labor exploitation and enforce labor laws.(9, 92) Receive victims of child labor through 43 municipal-level offices for psychological evaluation and refer them for services.(91, 92) Run regional and municipal-level workshops on preventing and addressing the commercial sexual exploitation of children.(92) Created through the Code for the Protection of Children and Adolescents.(67)
Office of the Attorney General (AG)	Prosecute crimes involving children, including criminal violations of child labor laws. Oversee the Special Prosecutor for Migrant Smuggling and Human Trafficking, which uses a team of specialized investigators to investigate the commercial sexual exploitation of children and other worst forms of child labor; alleged violations may be communicated to the Specialized Prosecutor through a hotline.(20, 92)
National Police's (PN) Trafficking in Persons Unit and the Directorate of Migration (DGM)	Enforce criminal laws, including those prohibiting and punishing the worst forms of child labor, and coordinate with the AG in the prosecution of perpetrators. Under the Ministry of the Interior.(9)
Specialized Corps for Tourist Safety	Prevent child sex abuse and commercial sexual exploitation in touristic areas, rescue minors, and arrest and bring to justice child sex offenders. Overseen by the Ministry of Defense.(91)

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Labor Law Enforcement

In 2015, labor law enforcement agencies in the Dominican Republic took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	\$4.5 million (20, 92)	\$4.5 million (2, 21)
Number of Labor Inspectors	176 (20, 92)	186 (2, 21)
Inspectorate Authorized to Assess Penalties	No (20)	No (2, 21)
Training for Labor Inspectors		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to Child Labor	Unknown	N/A
■ Refresher Courses Provided	Yes (92)	Yes (2, 21)
Number of Labor Inspections	79,129 (93)	92,644 (93)
■ Number Conducted at Worksites	Unknown	92,644 (21, 93)
■ Number Conducted by Desk Reviews	Unknown	0 (21)
Number of Child Labor Violations Found	416 (92)	211 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
■ Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (92)	Yes (2)
■ Routine Inspections Targeted	Yes (92)	Yes (2, 21)
Unannounced Inspections Permitted	Yes (92)	Yes (2, 21)
Unannounced Inspections Conducted	Yes (92)	Yes (21)
Complaint Mechanism Exists	Yes (92)	Yes (21)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown

According to the Ministry of Labor (MT), additional funding and resources are needed to increase the number, efficiency, and quality of labor inspections.(2, 21) During the reporting period, the MT employed 186 labor inspectors, 10 more than in 2014. Reports indicate that this number of inspectors is still inadequate to meet the need for inspections nationwide.(2, 20) According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, the Dominican Republic should employ roughly 329 inspectors to adequately enforce labor laws throughout the country.(94-96)

The MT's process for labor inspections includes a preliminary visit, during which inspectors inform employers of violations and establish periods for remediation but do not issue fines. Upon expiration of the remediation periods, inspectors conduct re-inspections to determine whether the violations have been remedied.(79, 97, 98) If re-inspections find that the identified violations persist, the MT files infraction reports with the local office of the MT, which then transfers the infraction reports to the relevant local court for adjudication.(79, 97, 98) This two-tiered inspection process puts a strain on the Inspectorate's limited human and financial resources and may not sufficiently deter employers from exploiting children in the workplace, particularly in remote rural areas where re-inspections are more difficult and less consistent. Furthermore, the lack of published information on the results of inspections prevents a complete understanding of how effective this inspection system is in practice.

Although the 2008 General Inspection Protocol and the 2011 Inspection Protocol for Agriculture instruct inspectors to assess child labor violations by reviewing workers' identity documents and employers' records, making observations, and conducting interviews, the widespread lack of identity documents impedes both inspectors and employers from verifying the ages of workers and guaranteeing that children under age 18 are not participating in dangerous or unhealthy work.(10, 15, 73, 97, 98) The MT has indicated that improvements could be made with respect to how inspectors conduct interviews, ask follow-up questions, and use inspection data to strengthen the inspection system.(15) Moreover, reports indicate that in some cases, Spanish-speaking inspectors working without translation assistance have been responsible for interviewing Creole-speaking workers with limited or no Spanish-language abilities, which has further hindered the efficacy of those inspections.(20)

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From January through November 2015, the MT conducted 87,792 labor inspections; of these, 75,328 were regular inspections, which were preventative in nature and conducted unannounced, and 12,464 were special inspections, which were conducted in response to requests or complaints.(2, 21) For all of 2015, the MT conducted a total of 92,644 inspections.(93) During this period, each inspector therefore conducted an average of 498 inspections. This is a high number of inspections conducted by each inspector, and it is unknown whether this high number affects the quality of inspections. Some NGOs and labor unions have reported that inspections are not always conducted immediately after requests are made and that inspection reports often contain errors and contradictions, undermining the credibility of these reports.(2, 20) Reports also indicate that substandard labor inspection reports have hindered the ability of the Office of the Attorney General (AG) to pursue prosecutions on criminal matters involving child labor issues.(20)

In 2015, the Government reported that a total of 211 children were found working in violation of the law. Of these, 149 children were found working in the agricultural sector, including in the cultivation of rice and in the harvesting of coffee, beans, tomatoes, and corn.(2, 21) The Government reported that there were no children found engaged in child labor in the sugar sector. Research could not find the breakdown of where the remaining 62 children were found working illegally.(2, 21) The Government did not report how many of the 211 children found in child labor were removed from work. It is unknown whether the National Council for Children and Adolescents (CONANI) or its municipal offices evaluated these rescued children, provided them with services, or coordinated their return to their homes.(2)

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in the Dominican Republic took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
■ Refresher Courses Provided	Yes (20, 43)	Yes (2)
Number of Investigations	Unknown	19 (99)
Number of Violations Found	Unknown	45 (99)
Number of Prosecutions Initiated	12 (20, 92)	Unknown
Number of Convictions	6 (20, 92)	7 (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (43)	Yes (2)

In 2015, the AG's Special Prosecutor for Migrant Smuggling and Human Trafficking employed six investigators to conduct investigations regarding the worst forms of child labor, including commercial sexual exploitation. However, reports indicate that its capacity to identify, investigate, and prosecute criminal cases related to the worst forms of child labor is limited due to resource constraints.(2) Similarly, the National Police (PN) maintains a Trafficking in Persons Unit, but reports indicate that it did not investigate trafficking in persons crimes during the reporting period also due mainly to a lack of resources.(2)

In 2015, investigators employed by the AG's Special Prosecutor for Migrant Smuggling and Human Trafficking participated in 19 trainings, 10 of which specifically addressed human trafficking and the commercial sexual exploitation of children.(2) However, the PN's Trafficking in Persons Unit did not receive training, due largely to a lack of resources.(99)

During the reporting period, the AG successfully prosecuted to conviction 14 cases of trafficking in persons that involved a total of 20 defendants. Seven of these cases, with 11 defendants convicted, involved child victims.(2) In the

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cases involving child victims, one defendant was sentenced to two years; five defendants were sentenced to three years each; one defendant was sentenced to five years; three were sentenced to 15 years; and one had been convicted but not yet sentenced.(2)

In 2015, the AG reported that it rescued 82 children from alleged cases of human trafficking.(2) The AG is required by interagency agreement and regulations to refer children rescued from human trafficking and other worst forms of child labor to CONANI for services. This may include placement in NGO-run shelters.(2, 43, 99) Research could not determine whether all of the 82 children rescued from the alleged cases of human trafficking in 2015 were referred to CONANI for services. NGOs and government ministries also report that CONANI is severely under-funded and does not have the institutional capacity to meet the demand for services nationwide.(2) In response to this, the AG began working in 2015 to open its own shelter for child victims of human trafficking with funding from NGOs.(2)

Reports indicate that coordination between the MT and the AG has been limited due mainly to a lack of resources and that not all criminal violations identified by the MT have been referred to, and subsequently investigated and prosecuted effectively, by the AG.(9, 16, 20) Although challenges in coordinating criminal law enforcement efforts remain, in 2015 the Government published a protocol on trafficking in persons developed by the Inter-Agency Commission Against Trafficking in Persons (CITIM) and the IOM to address the detection and referral of child and adolescent victims of human trafficking.(99) The protocol was presented to government officials and NGOs at seven conferences throughout the reporting period.(99) In addition, with the support of the Government, UNICEF sponsored various judicial coordination working groups, which met 62 times during the reporting period to coordinate the prosecution of crimes of child sexual exploitation. In addition to the judicial branch, participating governmental agencies in the working groups included the AG, PN, MT, CONANI, and the Ministries of Education and Tourism; NGOs also participated in the working groups.(2)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee to Eliminate Child Labor (CDN)	Develop and promote evidence-based policies to combat child labor and coordinate the efforts of 48 Local and Municipal Committees to implement CDN efforts at the local level. Overseen by the MT and composed of ministerial representatives, including from the UTI, labor union officials, private business leaders, and NGOs. Established through Decree 144-97.(20, 76, 89, 92, 100) In 2015, the CDN met every two months to coordinate government efforts to combat child labor.(2)
Inter-Institutional Commission Against Child Abuse and Commercial Sexual Exploitation	Coordinate and implement actions to combat commercial sexual exploitation and child abuse. Led by CONANI and the MT, and includes representatives from various ministries, the National and Tourism Police, the AG, NGOs, and the Hotel and Restaurant Association, as well as representatives of UNICEF and the ILO as advisors.(9, 20, 91)
Inter-Agency Commission Against Trafficking in Persons (CITIM)	Coordinate government agencies in efforts to combat human trafficking by developing and implementing national plans, collaborating with international organizations and NGOs, developing training and education programs, examining legislative initiatives, and collaborating in the production of reports on human trafficking.(43, 101) Led by the Ministry of Foreign Affairs and comprises 14 government agencies, including the Ministries of Labor, Education, Public Health, and Tourism, as well as the AG and other law enforcement agencies; created through Decree No. 575-07.(43, 101)
Social Policies Coordination Cabinet (GCPS)	Coordinate all social policies and conditional cash transfer programs, such as the Progressing with Solidarity Program. Led by the Vice President.(9, 76)
Local Committees for the Protection and Restitution of Children's Rights	Ensure that children's rights are not being violated; consists of community volunteers in 10 municipalities.(91)

Reports indicate that the Local and Municipal Committees of the CDN face limitations in their coordination efforts due to a lack of resources.(30) Previous reports indicated that the CITIM has not always convened all relevant agencies working on human trafficking issues and that its coordination efforts were limited.(43) Research could not determine whether CITIM met and convened all relevant agencies in 2015.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of the Dominican Republic has established policies related to child labor, including its worst forms (Table 9).

Table 9. Policies Related to Child Labor

Policy	Description
National Strategic Plan to Eradicate the Worst Forms of Child Labor (PEN) (2006–2016)	Identifies the roles and responsibilities of government agencies and municipal representatives in eradicating the worst forms of child labor. Prioritizes prevention, protection, assistance, and the progressive eradication of the worst forms of child labor.(20, 89, 92, 102)
Roadmap Towards the Elimination of Child Labor in the Dominican Republic	Outlines a plan to eliminate the worst forms of child labor by 2015 and all other types of child labor by 2020.(76, 103) Designates the roles of various government agencies and sets targets and indicators for each area of responsibility, specifically: poverty reduction, health, education, institutional coordination, awareness-raising, and information sharing. Adopted in 2010.(76, 92)
Protocol for the Protection of Children's and Adolescents' Rights in Child Labor	Aims to eliminate child labor in favor of greater school attendance, in part through community workshops that seek to reach 300,000 children and adolescents on child protection issues. Includes a plan to evaluate the country's policy framework on the elimination of child labor as well as the country's compliance with international conventions on child labor.(20, 92)
National Action Plan Against Human Trafficking and the Smuggling of Migrants (2009–2014)	Aims to combat human trafficking and the smuggling of migrants through strategic objectives, including prevention, investigation and prosecution, and victim assistance and protection.(43, 99, 104) The Government reported that this plan remained in effect for 2015.(99)
Education Pact (2014–2030)	Seeks to reform the education system by building more and better-quality schools, improving teacher training, and increasing attendance and graduation rates through free early childhood education and enrolling more students in the Extended School Day Program.(105) Also seeks to provide support to families to keep their children out of child labor and enrolled in school. Signed by the President and nearly 200 academic, political, and educational organizations.(76, 77, 105)
National 10-Year Education Plan (PDE) (2008–2018)	Aims to increase access to education and improve attendance and graduation rates, in part to reduce child labor. Aims to improve both classroom space and time in school, as well as build strategies to address the needs of children who are behind in school because of work.(76, 106) Implemented by the Ministry of Education.(76)
National Development Plan 2030 (END)	Aims to reduce poverty and inequality, and includes policies and programs that encourage families to keep their children out of child labor and in school.(9, 76, 91) Includes the Quality Education for All plan that aims to provide universal education to all children through middle school, including students without identity documents and those with disabilities.(91)
National Plan on Gender Equality (2007–2017)*	Promotes occupational and educational opportunities for women and girls, seeks to remedy gender discrimination and violence, and promotes child care for working mothers so that children do not have to be in the workplace.(107)
Government Plan under President Medina (2012–2016)	Focuses on the development of 400,000 new jobs and includes the elimination of child labor among other goals.(2, 20)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by the Dominican Republic at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(108–110)
XIX Inter-American Conference of Ministers of Labor†	Promotes decent work with social inclusion throughout the Americas. Held in Cancún, Mexico, participating countries adopted the Declaration of Cancún 2015 which aims in part to foster policies to eliminate labor exploitation, including child labor, and to promote education and vocational training for youth.(111, 112) Participating countries also adopted a Plan of Action that prioritizes the elimination of child labor, including through data collection, enforcement of labor laws, and the development of social protection policies for children and families.(111, 113)

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Table 9. Policies Related to Child Labor (cont)

Policy	Description
Declaration of the Vice-Ministers of the XX Regional Conference on Migration†	Aims to strengthen regional cooperation to protect the human rights of migrants, especially youth and children, in countries of origin, transit, and destination, including by increasing opportunities for education and employment. Adopted by the Dominican Republic at the XX Regional Conference on Migration in Mexico City (November, 2015).(114-116)

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Efforts to implement child labor elimination policies in the Dominican Republic have been slowed by an insufficient allocation of resources, including personnel.(117) In addition, reports indicate that the implementation of the Roadmap Towards the Elimination of Child Labor has also been hindered by a lack of coordination among participating government agencies.(9)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of the Dominican Republic funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Social Programs to Address Child Labor

Program	Description
Progressing with Solidarity (PROSOLI)†	Government program that promotes the well-being of families living in extreme poverty through an approach that includes subsidies and conditional cash transfers.(76, 92, 118) Among other objectives, aims to increase the number of students who attend school and reduce child labor, including by informing parents about the effects of child labor and the benefits of education.(76, 91, 119-121) In June 2013, the ILO and the Vice President of the Dominican Republic announced a project to withdraw 38,000 of the program's beneficiaries from child labor; this action supported the 2012 letter of agreement between the Vice President and the ILO to remove 100,000 children from exploitative work over a 4-year period.(122-124) Within this framework, in 2015 the ILO and the Vice President's Office implemented the Program to Prevent and Eliminate Child Labor and its Worst Forms Among PROSOLI Households, which targeted children ages 5 to 17.(2, 121) In addition, the Vice President's Office reported that PROSOLI's School Attendance and School Subsidy Incentives benefited 325,217 students, reducing school dropout rates among beneficiaries by 3.8 percent and children's vulnerability to child labor.(121)
Progressing Together (<i>Progresando Unidos</i>)*	Government program financed by the World Bank that aims to reduce extreme poverty among 180,000 beneficiaries in 14 provinces, including Santo Domingo. Implemented along five lines of intervention, including increased food security and health programming, elimination of dirt floors in participating homes, job creation for youth, and capacity-building of the Social Policies Coordination Cabinet (GCPS).(125, 126) Coordinated by the GCPS with support from PROSOLI and government agencies, including the Ministry of Education.(125, 126)
Education and Monitoring Program for the Eradication of Child Labor (2012–2015)	\$1.3 million Government of Spain-funded, 3-year project implemented by ILO-IPEC that aimed to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America, including the Dominican Republic. Included the objective of developing information systems on the worst forms of child labor.(127)
Elimination of Child Labor in Latin America (Phase 4) (2011–2015)	\$4.5 million Government of Spain-funded, 4-year project implemented by ILO-IPEC to combat child labor in 19 countries, including the Dominican Republic.(127)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries, including the Dominican Republic, to support the priorities of the <i>Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016</i> established by The Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor in the Dominican Republic and improve the evidence base on child labor through data collection and research.(128)
Awareness-Raising Campaign on Child Labor	MT and the Foundation for Peace and Democracy (FUNPADEM) public awareness-raising campaign to mobilize communities to report cases of child labor.(91, 129)
Child Domestic Work Awareness-Raising Campaign	MT and ILO child labor eradication campaign that supports reaching the goals outlined in the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, with an emphasis on the elimination of child domestic work.(91)

Table 10. Social Programs to Address Child Labor (cont)

Program	Description
Line 700 Hotline†	Office of the First Lady's free hotline to enable citizens to report cases of child labor, in addition to child abuse.(91)
Extended School Day Program (<i>Jornada Escolar Extendida</i>)†	Ministry of Education program to extend school hours to a full day (8 a.m. to 4 p.m.) to improve educational achievement and reduce child labor.(9, 15, 28, 130, 131) In 2015, the Government expanded the program to include 3,418 schools, benefitting 882,558 students. An additional 22,265 teachers have been hired with this expansion.(2)
Spaces for Growth and Homework Rooms (<i>Espacios para Crecer</i>)†	Government after-school programs that seek to prevent children from working by keeping them in a creative learning environment outside of normal classroom hours.(15, 30, 119, 132)
Spaces for Hope (<i>Espacios de Esperanza</i>)†	Government early educational centers to promote integrated attention and positive stimulation to pre-school aged children. In 2015, the Government reported operating 68 Spaces for Hope around the country.(9, 91, 133)
Literacy Campaign (<i>Quisqueya Aprende Contigo</i>)†	Government literacy campaign to promote the importance of literacy and education among families, including youth.(9, 134, 135) Approximately 8,500 teachers have been trained for literacy instruction with students ages 15 and older, and more than 52,000 people have been integrated into the program.(20, 21, 92)
Youth and Employment Project (<i>Proyecto de Emprendimiento Juvenil</i>)	Government project supported by the Government of Chile that improves the employability of disadvantaged, at-risk youth through training and internship opportunities.(91, 119, 136, 137)
At-Risk Youth Initiative	USAID-funded project to protect youth from crime and promote access to education, including through participation in afterschool programs (Spaces for Growth) and other social services.(138)
Child Care Facilities (<i>Estancias Infantiles</i>)†	MT-supported child care facilities for adult workers with children under age 5. The Government has reported operating 115 child care facilities around the country.(91)
Presidential Microcredit Initiative†	Government program to provide microcredit to small businesses in disadvantaged regions to increase employment and provide improved livelihoods for families.(9)

* Program was launched during the reporting period.

† Program is funded by the Government of the Dominican Republic.

In an effort to improve the national education system, the Government has allocated 4 percent of the national GDP in its budget for primary and secondary education for the third consecutive year.(21, 76, 92) Since 2012, priorities have included the construction of new classrooms and the provision of school meals.(15, 30, 77, 139-143) Although these plans have not yet been fully implemented, the Government reports that 10,017 new classrooms have been created in 2014 and 2015.(21, 92)

A study commissioned by the IDB indicated that the Progressing with Solidarity (PROSOLI) program has increased school enrollment and attendance among beneficiaries.(119, 144) Another study indicated an increase in beneficiaries' abilities to read and write.(91) An evaluation conducted in the province of Montecristi showed a decline in child labor among program beneficiaries compared to a control group in the same province.(91) However, the PROSOLI program requires participants to present identification documents in order to access program benefits, which limits the participation of those individuals lacking such documentation, many of whom are particularly vulnerable to child labor.(15)

Despite the efforts described above, current programs do not appear to adequately address the scope of the worst forms of child labor in the Dominican Republic, particularly commercial sexual exploitation and harmful work in agricultural areas.(31, 39, 43)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Dominican Republic (Table 11).

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Amend the Labor Code to raise the general minimum age for hazardous work to 18 and ensure that children ages 16 to 18 who are permitted to engage in hazardous activities are fully protected by the law.	2014 – 2015
	Ensure that penalties for the commercial sexual exploitation of children are adequate.	2015
	Ensure the law establishes a minimum age of 18 for compulsory military recruitment in situations of national defense or emergency.	2014 – 2015
Enforcement	Correctly interpret and apply the law to allow all children without birth certificates or other identity documents to enroll in primary and secondary education and complete schooling.	2011 – 2015
	Authorize the labor inspectorate to assess penalties.	2015
	Publish information about the training for labor inspectors and statistics on the number of child labor violation penalties imposed and collected.	2009 – 2015
	Strengthen the enforcement of child labor laws by: <ul style="list-style-type: none"> ■ Allocating adequate resources for inspectors to conduct timely inspections; ■ Following the MT's 2008 General Inspection Protocol and 2011 Inspection Protocol for Agriculture to improve the quality of information gathering and the use of inspection data to enable prosecution; and ■ Establishing a system to verify the age of young workers to better protect children without birth certificates or other legal documentation from exploitation. 	2012 – 2015
	Ensure that the two-tiered inspection system does not restrict the MT's ability to enforce laws prohibiting child labor.	2013 – 2015
	Ensure that labor inspectors are able to communicate with Creole-speaking workers, including those who may be underage, to adequately conduct inspections for child labor violations.	2014 – 2015
	Publicly report on the mechanism by which the MT refers victims of child labor, including its worst forms, to the CONANI for services, as well as on the total number of children referred and assisted.	2014 – 2015
	Publish information on training for criminal investigators and statistics on the number of criminal investigations conducted for criminal child labor violations, including by type, as well as on the number of prosecutions initiated.	2009 – 2015
	Increase the resources of criminal investigators and prosecutors to effectively enforce criminal laws on child labor.	2014 – 2015
	Ensure that all children rescued from the worst forms of child labor are referred to CONANI for services and that CONANI has sufficient resources to provide services for referred children.	2015
	Improve coordination between the MT and the AG to ensure violations are effectively investigated and prosecuted.	2013 – 2015
Coordination	Ensure the CDN and its Local and Municipal Committees have sufficient resources to effectively coordinate efforts to address child labor.	2013 – 2015
	Ensure the CITIM regularly convenes all necessary agencies to effectively coordinate government efforts to address human trafficking issues.	2014 – 2015
Government Policies	Integrate child labor elimination and prevention strategies into the National Plan on Gender Equality.	2013 – 2015
	Allocate additional personnel and resources to support national plans and strategies to combat the worst forms of child labor, including the Roadmap Towards the Elimination of Child Labor.	2009 – 2015
Social Programs	Ensure that all children are able to obtain identity documents to reduce their vulnerability to labor exploitation.	2011 – 2015
	Address deficiencies in the educational system by continuing to increase enrollment and add classroom space.	2011 – 2015
	Eliminate the requirement that individuals present identity documents to participate in social programs intended to combat child labor, including in the PROSOLI program.	2012 – 2015
	Expand social protection programs, particularly in commercial sexual exploitation and agriculture.	2010 – 2015

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